

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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KIETH C. SHELSTAD,

Case No. 2:16-CV-2671-KJD-CWH

Plaintiff,

ORDER

V.

TGS AVIATION SERVICES, INC.,

Defendant.

Presently before the Court is Defendant's Motion to Dismiss (#65). Though the time for doing so has passed no response in opposition has been filed. On October 31, 2018, the magistrate judge granted (#62) Plaintiff's counsel's motion to withdraw. The court ordered Plaintiff to file notice of whether he would continue to represent himself or seek to retain new counsel. Plaintiff failed to respond in any manner. On December 4, 2018, the magistrate judge ordered Plaintiff to show cause why sanctions, up to and including dismissal, should not be imposed for his failure to respond. Plaintiff did not respond to the order to show cause. On January 11, 2019, Defendant filed the present motion to dismiss for failure to comply with the Court's order and failure to prosecute. Other than the pending motion to dismiss and Plaintiff's counsel's motion to withdraw, no action of record has been taken in this action since February 26, 2018. On January 11, 2019, the Court notified (#66) Plaintiff that failure to respond to Defendant's motion would result in dismissal of this action. He failed to respond.

25 Therefore, in accordance with Local Rule 7-2(d), Federal Rule of Civil Procedure 41(b)
26 and Local Rule 41-1, the Court finds good cause to dismiss this action having considered all the
27 factors and finding that they all weigh in favor of dismissal. See In Re Phenylpropanolamine
28 (PPA) Products Liability Litigation, 460 F.3d 1217, 1226 (9th Cir. 2006).

Accordingly, IT IS HEREBY ORDERED that Defendant's Motion to Dismiss (#65) is
GRANTED with prejudice;

IT IS FURTHER ORDERED that the Clerk of the Court enter **JUDGMENT** for Defendant and against Plaintiff.

Dated this 15th day of March, 2019.


Kent J. Dawson
United States District Judge